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May 26, 2023

**VIA ECF**

Honorable José R. Almonte, U.S.M.J.  
United States District Court  
50 Walnut Street  
Newark, New Jersey 07102

**Re: Nexgen Lifesciences, LLC v. MSN Laboratories Private Limited**  
**Docket No.: 2:22-cv-02901-MCA-JRA**

Dear Judge Almonte:

We, together with Wiley Rein LLP, represent defendant MSN Laboratories Private Limited ("MSN"). MSN writes to inform the Court of the parties' continuing attempts to resolve pending discovery disputes. Pursuant to the case scheduling order (D.E. 52), the parties are to inform the Court of any remaining discovery disputes by May 31, 2023. The parties are working diligently to resolve a series of disputes and request an additional week to attempt to reach resolution on the issues. The parties therefore request a one-week extension to inform the Court of discovery disputes by June 6, 2023.

MSN also writes to seek the Court's guidance as to the form of that report, specifically whether the Court would like the parties to follow the discovery dispute procedure set forth in paragraph 6 of the Court's Sep 27, 2022 scheduling order (whereby the party seeking discovery submits a letter not to exceed 10 pages and 7 days letter the other party may submit a response not to exceed 10 pages) or the procedure set forth in section 4.a. of the Court's standing case management order within its judicial preferences (whereby the parties submit one joint 10-page letter addressing each open issue one by one, with each party including its position as to each issue). In view of the Court's statements to the parties during the hearing on March 20, 2023, MSN understands the procedures set forth in the standing case management order apply, and therefore proposes to submit one joint letter in which the parties address all issues. Nexgen's position is that the procedures set forth in the scheduling order apply, and therefore intends to submit its own 10 page letter, after which it believes MSN should submit a separate letter 7 days later.

We thank the Court's attention to this matter.

Respectfully submitted,

/s/ Eric I. Abraham  
ERIC I. ABRAHAM

cc: All counsel of record (via ECF)